

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Bernard Howell, Sr.,

Case No. 23-cv-1600 (JRT/DTS)

Plaintiff,

ORDER

v.

Frontier Airlines Holdings, Inc.,

Defendant.

More than 90 days have elapsed since suit was filed and no appearance has been entered by Defendant. The Federal Rules of Civil Procedure and the Local Rules of this District require that an answer or other pleading be filed. The Court does not permit counsel by agreement to extend the time for filing an answer or other pleading, although an initial motion for extension of time will be liberally considered by the Court in the absence of any objection by opposing counsel.

IT IS HEREBY ORDERED:

1. Plaintiff must notify Defendant with 5 days of this order that its counsel is required to make an appearance or move for an extension of time to do so.
2. If Defendant's required pleading is not filed within 10 days of notification; plaintiff must file on the docket a letter advising the Court when notification was made.
3. In addition, if Defendant's required pleading is not filed within 10 days of notification Plaintiff shall file an application for entry of default or voluntary dismissal; or advise the Court in writing of any good cause to the contrary.

4. Unless Plaintiff complies with this order, this case will be recommended for dismissal for lack of prosecution.

Dated: October 5, 2023

s/David T. Schultz
DAVID T. SCHULTZ
U.S. Magistrate Judge